



CHAIR  
John Adams  
14035 Oldfield Road North  
Stillwater, MN 55082  
(651) 430-8134

SUPERVISOR  
John Pazlar  
16601 Orwell Road North  
Marine on St. Croix, MN 55047  
(651) 433-5013

SUPERVISOR  
Steve Magner  
31 Moonlight Bay  
Stillwater, MN 55082  
(651) 439-5366

CLERK/TREASURER  
Linda Tibbetts  
P.O. Box 60  
Marine on St. Croix, MN 55047  
(651) 439-1706

DEPUTY CLERK/TREASURER  
Marsha Olson  
817 Everett Drive  
Stillwater, MN 55082  
(651) 275-9178

PLANNING COMMISSION  
John Arnason  
15149 Old Guslander Trail  
Marine on St. Croix, MN 55047  
(651) 433-8510

---

**AGENDA**  
**TOWN OF MAY**  
**PLANNING COMMISSION**  
**July 29, 2021 at 7:00 p.m. via Zoom**

Join Zoom Meeting  
<https://zoom.us/j/92350975142?pwd=VldtUjRlMlhkbW1pN0xuOWhkL0RmQT09>

Meeting ID: 923 5097 5142  
Passcode: 532746  
One tap mobile  
+13126266799,,92350975142#,,,,\*532746# US (Chicago)  
+16468769923,,92350975142#,,,,\*532746# US (New York)

Dial by your location  
+1 312 626 6799 US (Chicago)  
Meeting ID: 923 5097 5142  
Passcode: 532746

- I. Call to order**
  - a. Review and approval of minutes from May 27, 2021 PC Meeting
  
- II. Public Hearings**
  - a. 13950 Oldfield Road – Preliminary Plat
  
  - b. Ordinance 2021-04 – Minimum Housing Standards
  
  - c. Ordinance 2021-05 – Parks and other uses within the Rural Residential and Agricultural Zoning Districts
  
- III. Adjourn**

**TOWN of MAY**  
**WASHINGTON COUNTY, MINNESOTA**  
**OFFICIAL PLANNING COMMISSION MINUTES**  
**May 27, 2021**

The Planning Commission for the Town of May held its regular monthly meeting on Thursday, May 27, 2021, via video/telephone conference. Members in attendance were Chair John Arnason, Chad Nelson, Don Rolf, Lester Rydeen, Walter Peterson, and Alternate Mitchell Otterson. Members Jyneen Thatcher and Alternate Jason Husveth were absent. Also present were Town Clerk/Treasurer Linda Tibbetts and Town Planner Nate Sparks. Planning Commission Chair Arnason called the meeting to order at 7:03 p.m.

Notice of the Planning Commission Meeting and Public Hearing was published in the township's legal newspaper, the *Country Messenger*, posted at the Town Hall, and posted on the township's website.

**Minutes from March 25, 2021, Planning Commission Meeting**

Arnason moved, seconded by Nelson, to approve the March 25, 2021 minutes as presented. By Roll Call Vote: Arnason: YES; Nelson: YES; Rolf: YES; Rydeen: YES; Peterson: YES; Alternate Otterson: YES. Motion passed.

**Olsen Small Business Permit Application**

Sparks reported to the Planning Commission the town received an application for a small business permit at 14323 Ostrum Trail from Geary and Gail Olsen. Their application is for an Interim Use Permit to operate a small business for equine assisted services. The proposed operation includes therapeutic horseback riding for people with special needs. The subject site is four parcels totaling about 30 acres and is zoned Rural Residential. Sparks noted no new structures or physical changes to the site are proposed.

Sparks told the Planning Commission small businesses are allowed in the Rural Residential District by Interim Use Permit on lots of 10 or more acres. In the past, the town has allowed the aggregate total of all lots under common ownership to comprise the total area. The subject site is four parcels totaling 30 acres, satisfying the minimum acreage requirement. The site is surrounded by Rural Residential land uses on all sides. Sparks said it would be advisable to have all four lots combined.

A small business is defined in Article 402 of the code as “an operation that charges fees for goods and services but does not include home occupations which are those businesses conducted solely within a residence, and does not include any agricultural uses. The zoning ordinance defines agriculture as the use of land for growing and/or production of agricultural crops, livestock, and livestock products for the production of income.” Horses are considered livestock, however; in this case the horses will be used by a non-profit organization and not for the generation of income. The operation will be run by a resident of the principal dwelling, who also owns the property.

The Olsens' application states that the business activity will consist of therapeutic horseback riding, affiliated with the River Valley Riders, a non-profit organization which is a member of the Professional Association of Therapeutic Horsemanship that has two facilities one in Afton and one in May Township. The intention is to have two sessions one night a week (Tuesday evenings from 5:00 p.m. to 9:00 p.m.) in the summer and early fall. No business will be conducted between 10:00 p.m. and 7:00 a.m. as restricted by the ordinance.

The application states that there will be one instructor on the site from River Valley Riders. Each session will have between two and four participants with a parent or caregiver. There may be up to 12 volunteers present. The applicant expects vehicle movement for up to 8 riders and 12 volunteers each night who will come and go. Within the application, it states there will be up to 8 students/clients on site every Tuesday with up to 12 volunteers, 1 instructor, and 1-2 caregivers per student/client. This would appear to be a maximum number of 37 visitors per day.

Other than vehicle traffic, most of the activity will take place in an existing outdoor riding arena except for occasional use of the indoor facility due to inclement weather. No signage is proposed, and the applicant stated that there will be occasional outdoor lighting for sessions. The application indicates that one horse will be always on site and another horse will be brought to the site in a trailer for the sessions. The applicant is proposing a portable toilet to be placed on the site next to the barn.

The business activity will principally take place outdoors or in one accessory buildings on the site. The primary building is a 7,500 square foot existing, indoor riding arena. The building is setback over 900 feet from the road, over 200 feet from the side yards, and over 700 feet from the rear yard, meeting the 100-foot minimum setback requirement.

The town ordinance states that a small business shall not create a parking demand more than what can be accommodated by an existing driveway, with no vehicle parked closer than 50 feet from a public road or property line. The applicant is expecting to fill 10 parking spaces per day. Three areas have been identified on the site plan for parking. The parking areas include a 40' x 18' gravel area, 40' x 8' grass area, and a 100' x 41' grass area. In total these areas may accommodate up to 21 cars.

Sparks noted the township allows property owners to have the public come to their properties in very limited instances. Small business permits are intended to have very limited public visits to sites. The township needs to be cautious when allowing the public onto property to conduct business or business-like activity. The town has a strong rural residential character that is intended to be preserved.

Rydeen posed a scenario that a man has a small front-end loader/trailer/dump truck and a friend in May Township with a pole barn. Can the non-resident store his business equipment in the May Township resident's pole barn and use it daily? Sparks said a scenario as described would not

meet the Town Code. The town resident would be conducting a business of equipment storage. Rydeen said a delivery and storage of horses would be the same type of situation as the current. Arnason said there is an important distinction between who owns the property. Arnason would like to see a condition if the Planning Commission recommends approval to the Town Board outlining that the Olsens' be on property and actively engaged during sessions. If they are not, Arnason sees that proposal as a "hosting" situation which would be inconsistent with the Town Code. Rolf agreed with Arnason that the intent would need to be defined wherein the Olsens' be on the property and actively engaged. Further, Rolf noted the Olsens' property is isolated from neighbors and setback which would have less impact on the surrounding areas. Nevertheless, Rolf wants to make sure the Planning Commission identifies all aspects of the proposed use before determining a recommendation.

Nelson said when he looked at the average number of people on site per day, he would expect to see 11 visitors and 7 vehicles per day, once a week, in a small window of time, i.e., 5:00 p.m. to 9:00 p.m. He opined if the Planning Commission looked at it as being one car per day, it would be about that but consolidated into one active day, i.e., one evening per week. Sparks said the form used to generate the vehicle and people counts was retired but recently revived because the usage ranges do not apply in every situation, such as the current application wherein it is one day per week.

Rydeen said if the applicants wanted to increase to two nights, what would they need to do? They would need to reapply for an amendment to an IUP.

Arnason opened the public hearing without objection at 7:28 p.m.

Gail Olsen said she has been involved with River Valley Riders for approximately 13 years and the main part of the program is in Afton. She noted the horses serve about 100 people a week in Afton where every horse is trailered into the facility. She noted there will be two horses on site and one trailer with two horses arriving. They are planning three sessions of five weeks each. The second and third sessions would have a maximum of four riders and a potential to have one horse rider and two side walkers. Therefore, she noted she would not be at the maximum number of cars/people on site at one time. Mrs. Olsen and her husband are involved in all aspects as the managers of the operation.

Steve Delisi of 14423 Ostrum Trail, a neighbor of the applicants to the north, was present to say he and his wife support the Olsens' application.

Cheryl Holt, a representative from River Valley Riders and a May Township resident, was present in support of the Olsens' application.

Arnason closed the public hearing without objection at 7:37 p.m.

Otterson moved, seconded by Rolf, to recommend the Town Board approve the Olsen Small Business Permit/IUP as presented subject to the following conditions:

1. The owner of the property shall be onsite for all sessions.
2. Sessions may be conducted from 5:00 p.m. to 9:00 p.m. on Tuesday evenings for up to 8 students/clients and up to 12 volunteers. No more than 37 visitors may come to the site each evening of operation.
3. Activity shall only be conducted on the property as identified on the site plan.
4. All parking shall be within the areas identified on the site plan.
5. The small business is subject to periodic review at the discretion of the Town, to ensure compliance with the conditions of the IUP.
6. Annual renewal of the IUP is contingent upon the applicant's compliance with all provisions of the IUP and the Town Code, and the continued operation of the business in a manner that is compatible with the rural residential neighborhood.

By Roll Call Vote: Arnason: YES; Nelson: YES; Rolf: YES; Rydeen: NO VOTE; Peterson: YES; Alternate Otterson: YES. Motion passed.

Arnason adjourned the meeting without objection at 7:46 p.m.

Respectfully submitted,

Linda M. Tibbetts  
Clerk/Treasurer



# NORTHWEST ASSOCIATED CONSULTANTS, INC.

4150 Olson Memorial Highway, Ste. 320, Golden Valley, MN 55422  
Telephone: 763.957.1100 Website: www.nacplanning.com

## PLANNING REPORT

TO: Town of May Planning Commission  
Town of May Board Chair and Supervisors

FROM: Nate Sparks

DATE: July 23, 2021

RE: May Township – Oldfield Acres Preliminary & Final Plat

### BACKGROUND

Brian Staples has requested approval of a preliminary and final plat to create two separate parcels from a property about 20 acres in area. The site is located at 13950 Oldfield Avenue North and is zoned RR Rural Residential. The site has an existing home.

This property was subject to the same subdivision request, which was approved in 2006 by the Town Board. The subdivision was never recorded resulting in the need for this application.

### ANALYSIS

**Zoning and Density.** The property is zoned RR, Rural Residential and the allowed density is one unit per 10 acres.

**Yield Calculation.** A yield plan calculation has been provided and is illustrated again as follows:

$$\begin{array}{r}
 \text{Yield Plan Calculation} \\
 20 \text{ total acres} \\
 \div \frac{10}{2} \text{ acre density} \\
 \hline
 \end{array}$$

The result is two 10 acre lots.

$$\begin{array}{r}
 20.03 \text{ acres dry area} \\
 - 0.5 \text{ acres steep slopes} \\
 \hline
 19.53 \text{ acres buildable land} \\
 \div \frac{20.03}{97\%} \text{ acres total area} \\
 \hline
 \end{array}$$

A buildable land percentage of 97 percent results in a buildable land factor of 1.0.

$$\begin{array}{r}
 1.0 \text{ buildable land factor} \\
 \times 2 \text{ base lots} \\
 \hline
 2.0 \text{ lots}
 \end{array}$$

The result is a maximum amount of two lots.

**Lot Description.** Lot 2 is the proposed newly created buildable lot. Parcel B is proposed to be 9.72 acres in area and will have frontage off of Oldfield Avenue North. Parcel A is proposed at 9.71 acres in area and includes an existing single family home with access off of Oldfield, as well.

**Access/Frontage.** As currently proposed, both lots would exceed the required 300 feet of frontage for lots in a minor subdivision exceeding 4 acres in area as described in Section 901.15.04 of the May Town Ordinance. Both lots have over 330 feet of frontage.

**Septic Systems.** Section 901.04.20 of the Subdivision Ordinance requires soil testing for the installation of both a primary and secondary on-site sewage disposal. As a condition of approval, the applicant must receive a septic permit from Washington County. Some soil testing sites are identified on the survey. The results of this testing should be reviewed with the County to determine two septic sites on the new lot and the alternate site for Lot 1.

**Park Dedication.** Minnesota Statutes Section 462.358 allows communities to take park dedication fees in lieu of land at final approval of a subdivision. The purpose of the park and open space dedication is to require new subdivisions to contribute proportionally to the impact that they will place upon the system. The Town of May has a designated park fee of \$800.00 per additional lot created. The proposed minor subdivision will create one additional buildable lot. As such, as a condition of approval, a park dedication fee of \$800.00 is to be paid prior to final Town Board approval.

**Wetlands.** When the property was subdivided in 2006, a wetland delineation found that there was a wetland on Lot 2. The wetland delineation submitted with this application has found that there is no wetland on the site. The Conservation District is reviewing the wetland determination. Either way, if it is no longer a wetland, the area still requires an easement over it because it is a drainage way.

**Building Removal.** Lot 1 has two accessory buildings on the property. One is 2,251 square feet in area and the other is 1,197. Lots between 5 and 20 acres in size are permitted up to 2,500 square feet of detached accessory buildings. Therefore, the applicant is proposing to remove the smaller of the two buildings to ensure there is no nonconformity created.

## **RECOMMENDATION**

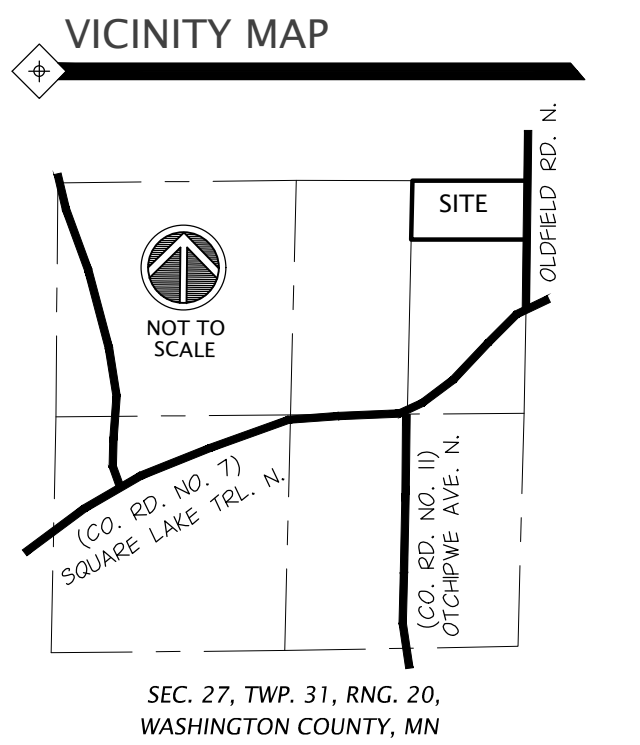
The proposed minor subdivision appears to be consistent with the Subdivision Ordinance requirements. As such, Staff would recommend approval of the request subject to the following conditions:

1. The smaller accessory building on Lot 1 shall be removed prior to the recording of the final plat. All necessary permits shall be sought by the applicant.
2. The septic system design and location on Lot 2 and the alternate site on Lot 1 is to be reviewed and approved by Washington County or the Town's Septic Consultant.
3. A park dedication fee of \$800.00 is to be paid to the Town of May prior to recording the plat.
4. All comments from the Conservation District, Watershed District, Town Engineer, and Town Attorney shall be addressed.

# OLDFIELD ACRES PRELIMINARY PLAT

**CONTACT:**  
 BRIAN R. & ELIZABETH M. STAPLES  
 13950 OLDFIELD RD. N.  
 MAY TOWNSHIP, MN 55082  
 612.599.9676

**COUNTY/CITY:**  
 WASHINGTON COUNTY  
 MAY TOWNSHIP



**REVISIONS:**

DATE	REVISION
6-1-21	ISSUED
7-12-21	REVISED

**CERTIFICATION:**

I hereby certify that this plan was prepared by me, or under my direct supervision, and that I am a duly Licensed Land Surveyor under the laws of the state of Minnesota.

*Daniel L. Thurnes*  
 Daniel L. Thurnes Registration Number: 25718  
 Date: 6-1-21

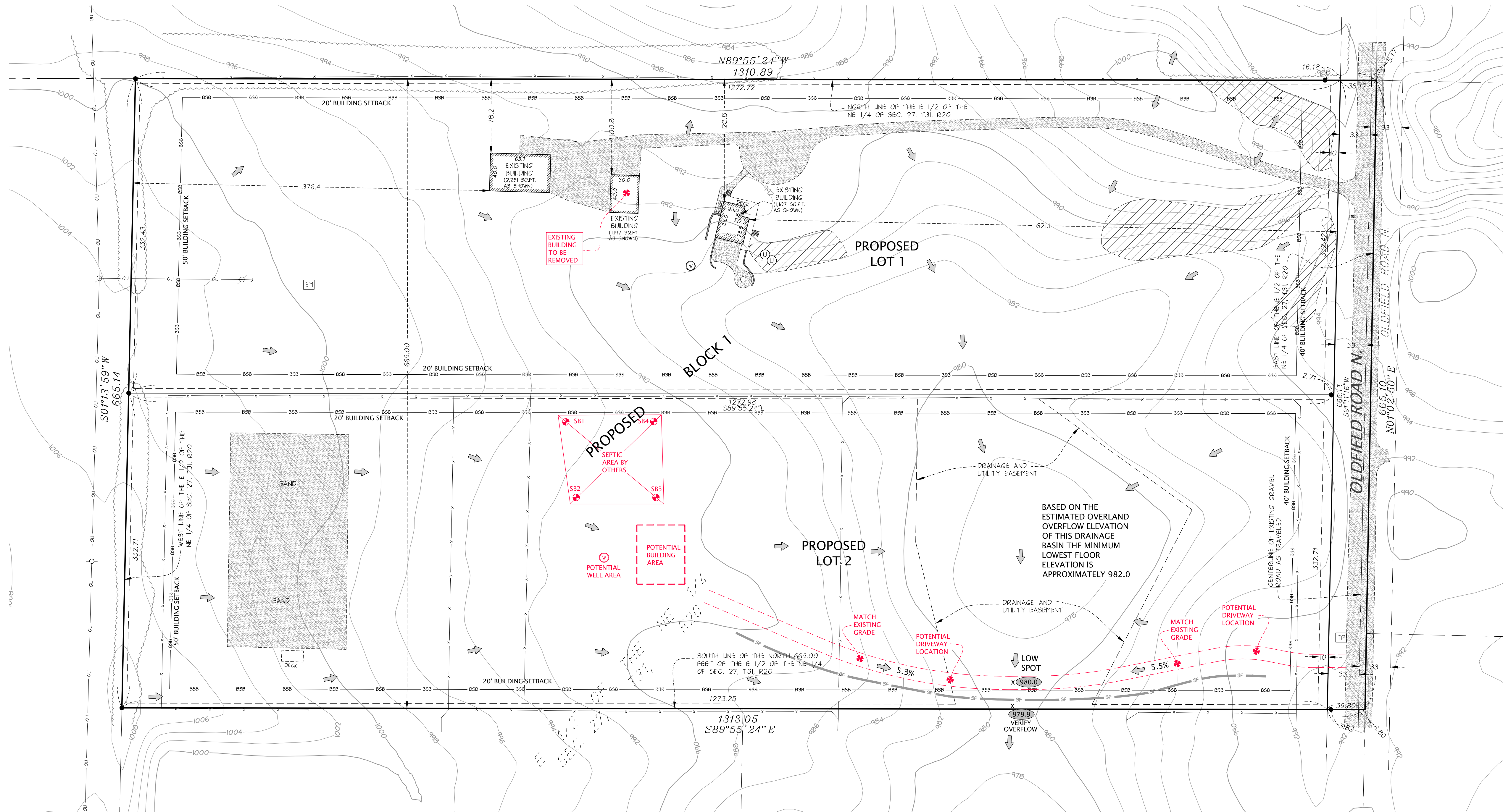
**PROJECT LOCATION:**  
 13950 OLDFIELD RD. N.  
 PID#2703120110002

Suite #200  
 1970 Northwestern Ave.  
 Stillwater, MN 55082  
 Phone 651.275.8969  
 dan@cssurveying.net

**CORNERSTONE  
 LAND SURVEYING, INC.**

FILE NAME SURVZ667  
 PROJECT NO. ZZZ1667

PRELIMINARY  
 PLAT



**LEGAL DESCRIPTION:**  
 (AS SHOWN ON WARRANTY DEED DOC. NO. 4187917)  
 The North 665 feet of the East Half of the Northeast Quarter (E 1/2 of NE 1/4) of Section Twenty-seven (27), Township Thirty-one (31), Range Twenty (20), Washington County, Minnesota.

**TITLE NOTES:**  
 NO TITLE COMMITMENT OR TITLE OPINION WAS PROVIDED TO US THAT WOULD SHOW EASEMENTS OR ENCUMBRANCES OF RECORD. THE FOLLOWING ARE SHOWN ON AVAILABLE MAPPING:  
 1. OLDFIELD ROAD NORTH ON THE EASTERN PORTION OF THE PARCEL. (AS SHOWN ON SURVEY)

**RIGHT OF WAY NOTE**  
 OLDFIELD ROAD NORTH PROPOSED DEDICATED RIGHT OF WAY SHOWN BEING 33.00 FEET FROM THE EXISTING CENTERLINE OF THE GRAVEL ROAD.

**RESOURCE INVENTORY**  
 THIS PARCEL CONTAINS OPEN LAND WITH TREES ALONG THE WEST AND NORTH LINES OR THE OVERALL PARCEL.

**DEVELOPEMENT DATA**

**YIELD PLAN CALCULATION**  
 TOTAL PARCEL AREA = 872,458 SQ.FT. / 20.03 ACRES  
 DRY PARCEL SIZE = 20.029 ACRES  
 BASE NUMBER OF LOTS = 20.03 / 10 = 2.00 LOTS  
 NON BUILDABLE -  
 > 12% SLOPES = 0.53 ACRES,  
 WETLANDS = 0  
 RIGHT OF WAY = 0.325 ACRES  
 TOTAL = 0.855 ACRES  
 BUILDABLE = 20.03 ACRES - 0.86 ACRES = 19.17 ACRES  
 BUILDABLE LAND % = 0.96%  
 BUILDABLE LAND FACTOR = 1.0 (FROM TABLE)  
 NET NUMBER OF LOTS = 1.0 X 2.0 = 2 LOTS

**LOT 1, BLOCK 1**  
 = 423,042 SQ. FT. / 9.71 ACRES  
 ADJACENT R/W = 12,823 SQ.FT. / 0.294 ACRES OF DEDICATED ROAD  
 \*BUILDABLE = 9.18 ACRES

**LOT 2, BLOCK 1**  
 = 423,488 SQ. FT. / 9.72 ACRES  
 ADJACENT R/W = 13,105 SQ.FT. / 0.301 ACRES OF DEDICATED ROAD  
 \*BUILDABLE = 9.72 ACRES

\*BUILDABLE LAND = LESS WETLANDS, ROAD EASEMENTS AND SLOPES GREATER THAN 12%.

**SEPTIC/WELL**

EXISTING SEPTIC MANHOLES ON LOT 1 SHOWN ON SURVEY.

EXISTING WELL ON LOT 1 SHOWN ON SURVEY.

SOIL TESTING ON LOT 2 BY: ALL STATE SEPTIC SERVICES DATED 5-28-2021

**WETLANDS**

THERE ARE NO WETLANDS ON THESE PROPOSED LOTS AS EVIDENCED BY WETLAND DELINEATION REPORT BY JACOBSEN ENVIRONMENTAL, PLLC, DATED MAY 3RD, 2021

**SURVEY NOTES:**

1. BEARINGS ARE BASED ON THE WASHINGTON COUNTY COORDINATE SYSTEM NAD 1983.
2. UNDERGROUND UTILITIES SHOWN PER VISIBLE OBSERVATION.
3. THERE MAY BE SOME UNDERGROUND UTILITIES, GAS, ELECTRIC, ETC. NOT SHOWN OR LOCATED.
4. CONTOURS SHOWN PER LIDAR DATA OBTAINED FROM THE DNR MNTPO WEBSITE. NOT FIELD VERIFIED.

**LEGEND**

● FOUND MONUMENT 1/2" IP MARKED "ANZ"	— UE — UNDERGROUND ELECTRIC
○ SET 1/2" IRON PIPE MARKED RLS NO. 25718	— UVF — UNDERGROUND CABLE TV
— CABLE TV PEDESTAL	— UF — UNDERGROUND FIBER OPTIC
— AIR CONDITIONER	— UT — UNDERGROUND TELEPHONE
— ELECTRIC METER	— OU — OVERHEAD UTILITY
— ELECTRIC PEDESTAL	— UG — UNDERGROUND GAS
— ELECTRIC TRANSFORMER	— F — FENCE
— GUY WIRE	— 1230 — CONTOURS
— POWER POLE	— B — BUILDING LINE
— GAS MANHOLE	— BS — BITUMINOUS SURFACE
— GAS METER	— CS — CONCRETE SURFACE
— TELEPHONE PEDESTAL	— S — SLOPES GREATER THAN 12%
— SANITARY CLEANOUT	
— UNKNOWN MANHOLE	
— WATER WELL	

● 1025.0 ● 925.0 PROPOSED ELEVATION  
 — 930 — PROPOSED CONTOUR  
 — 985.0 — PROPOSED DRAINAGE  
 — 985.0 — DENOTES EXISTING ELEV.  
 — SF — DENOTES SILT FENCE  
 — 930 — EXISTING CONTOURS

**Gopher State One Call**  
 CALL BEFORE YOU DIG!  
 TOWN CITY AREA: 651-454-0002  
 TOLL FREE: 1-800-252-1166

# OLDFIELD ACRES

KNOW ALL PERSONS BY THESE PRESENTS: That Brian R. Staples and Elizabeth M. Staples, joint tenants, fee owners, of the following described property situated in the County of Washington, State of Minnesota, to wit:

The North 665 feet of the East Half of the Northeast Quarter (E 1/2 of NE 1/4) of Section Twenty-seven (27), Township Thirty-one (31), Range Twenty (20), Washington County, Minnesota.

Have caused the same to be surveyed and platted as OLDFIELD ACRES and does hereby dedicate to the public for public use forever the easements created by this plat for drainage and utility purposes only.

In witness whereof said Brian R. Staples and Elizabeth M. Staples, joint tenants, have hereunto set their hands this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_.

\_\_\_\_\_  
Brian R. Staples

\_\_\_\_\_  
Elizabeth M. Staples

STATE OF MINNESOTA  
COUNTY OF WASHINGTON  
The foregoing instrument by Brian R. Staples and Elizabeth M. Staples, joint tenants, was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_.

\_\_\_\_\_  
(SIGNATURE)

\_\_\_\_\_  
(PRINT)

Notary Public, \_\_\_\_\_ County, Minnesota  
My Commission Expires January 31, 2025

I, Daniel L. Thurmes, do hereby certify that I have surveyed and platted or directly supervised the surveying and plating of the property described on this plat as OLDFIELD ACRES; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on the plat have been correctly set; that all water boundaries and wet lands as of this date, as defined in Minnesota Statutes Section 505.01, Subd. 3, are shown and labeled; and all public ways are shown and labeled on this plat.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_.

\_\_\_\_\_  
Daniel L. Thurmes, Licensed Land Surveyor,  
Minnesota License No. 25718

STATE OF MINNESOTA  
COUNTY OF WASHINGTON  
The foregoing Surveyor's Certificate was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_, by Daniel L. Thurmes, Licensed Land Surveyor.

\_\_\_\_\_  
(SIGNATURE)

\_\_\_\_\_  
(PRINT)

Notary Public,  
Dakota County, Minnesota  
My Commission Expires January 31, 2025

PLANNING COMMISSION OF THE TOWNSHIP OF MAY  
The foregoing plat of OLDFIELD ACRES was approved and accepted by the Planning Commission of the Township of May, Minnesota, this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_.

By \_\_\_\_\_ its Chairperson

By \_\_\_\_\_ its Secretary

TOWN OF MAY  
This plat of OLDFIELD ACRES was approved by the Town Board of May Township, Minnesota, this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_ and hereby certifies compliance with all requirements as set forth in Minnesota Statutes, Section 505.03, Subd. 2

By \_\_\_\_\_, Chair

By \_\_\_\_\_, Clerk

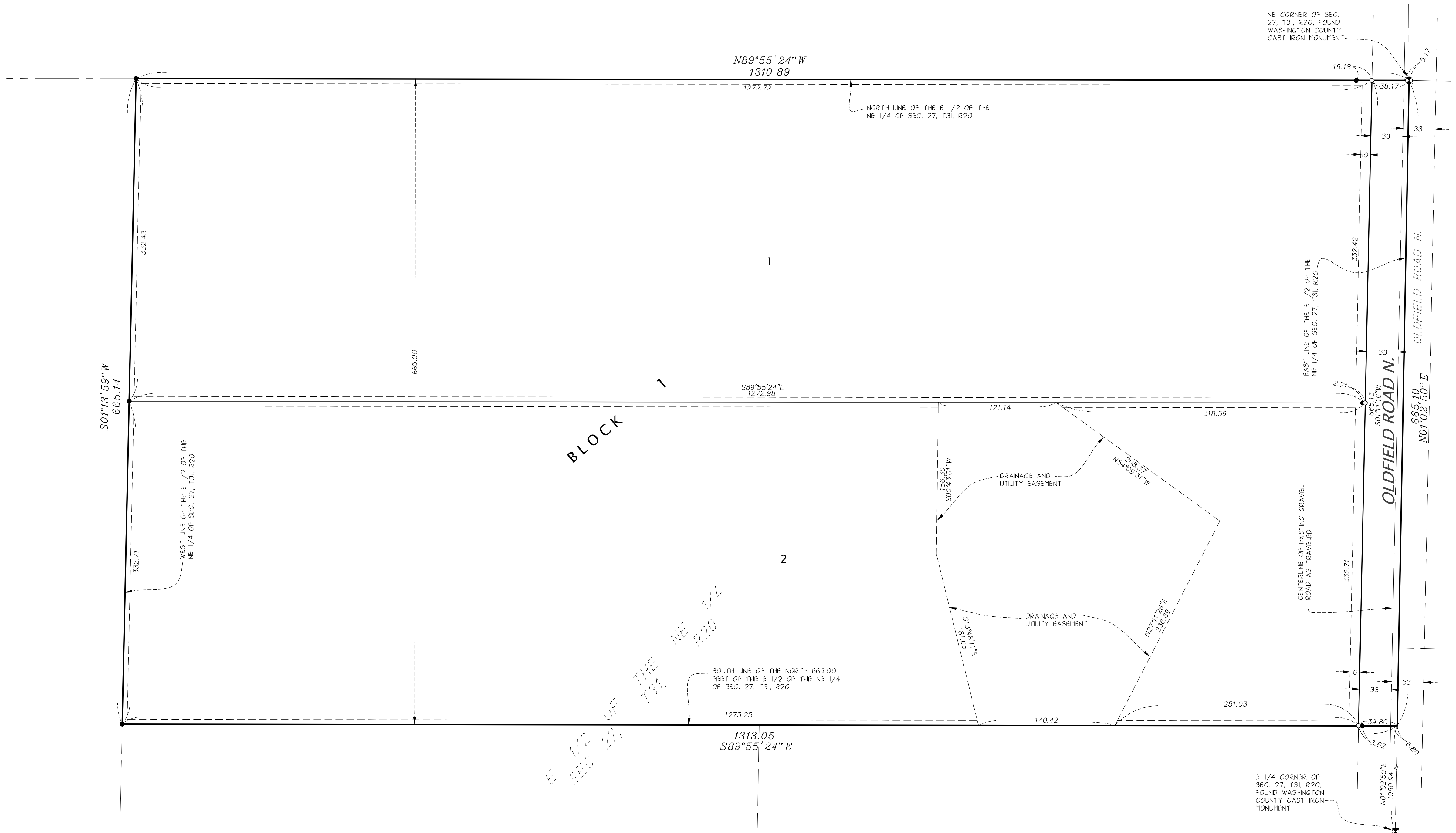
COUNTY BOARD  
I hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_ the Board of County Commissioners of Washington County, approved this plat.

By \_\_\_\_\_, Chair, County Board

WASHINGTON COUNTY SURVEYOR  
Pursuant to Chapter 820, Laws of Minnesota, 1971, and in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_.

By \_\_\_\_\_  
WASHINGTON COUNTY SURVEYOR

By \_\_\_\_\_



WASHINGTON COUNTY AUDITOR/TREASURER  
Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable for the year 202\_\_\_\_, on the land hereinbefore described, have been paid. Also pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered, on this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_.

By \_\_\_\_\_ Washington County Auditor/Treasurer

By \_\_\_\_\_ Deputy

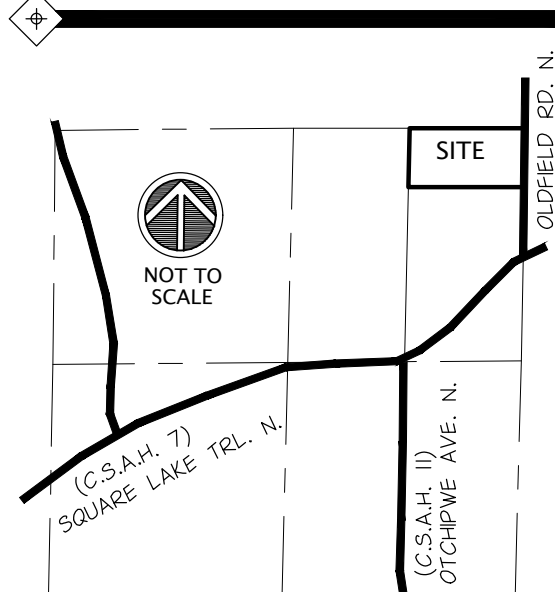
WASHINGTON COUNTY RECORDER  
Document Number \_\_\_\_\_

I hereby certify that this instrument was recorded in the Office of the County Recorder for record on this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and was duly recorded in Washington County Records.

By \_\_\_\_\_ Washington County Recorder

By \_\_\_\_\_ Deputy

## VICINITY MAP

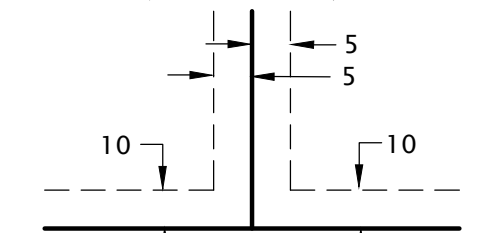


SEC. 27, TWP. 31, RNG. 20,  
WASHINGTON COUNTY, MN

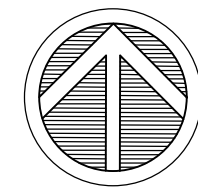
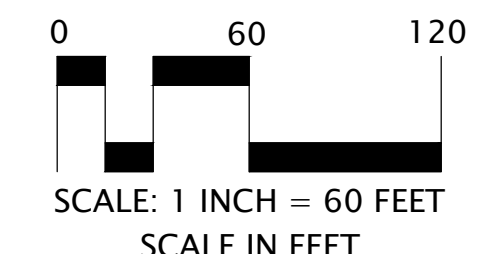
THE ORIENTATION OF THIS BEARING SYSTEM IS BASED UPON THE NORTH LINE OF THE E 1/2 OF THE NE 1/4 OF SEC. 27, T31, R20, WHICH IS ASSUMED TO HAVE THE BEARING OF N89°55'24"W.

- DENOTES SET 1/2 INCH X 18 INCH IRON PIPE MARKED R.L.S. 25718 UNLESS OTHERWISE INDICATED.
- DENOTES FOUND 1/2 INCH IRON PIPE MARKED "ANEZ".
- ⊠ DENOTES FOUND FOUND WASHINGTON COUNTY CAST IRON MONUMENT.

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN AS THUS: (NOT TO SCALE)



BEING 10 FEET IN WIDTH AND ADJOINING ROADWAY EASEMENT LINES AND BEING 5 FEET IN WIDTH AND ADJOINING LOT LINES AND BOUNDARY UNLESS OTHERWISE SHOWN ON THE PLAT.





# **NORTHWEST ASSOCIATED CONSULTANTS, INC.**

4150 Olson Memorial Highway, Ste. 320, Golden Valley, MN 55422  
Telephone: 763.957.1100 Website: [www.nacplanning.com](http://www.nacplanning.com)

## **PLANNING MEMO**

To: Town of May Planning Commission  
Town of May Board Chair and Supervisors

From: Nate Sparks, Town Planner

Date: July 26, 2021

Re: Ordinance Amendments: Housing Standards and Park Uses

### **Background**

The Town Board has been discussing some areas of improvement needed in the Town Code. Two areas of more immediate concern are related to housing standards and public uses in residential areas.

### **Housing Standards**

Most area communities have a minimum size and dimensional standards for single family houses. This prevents the use of structures intended to be for temporary uses being used as a permanent domicile. This will prevent severely out of character construction which could be impactful to property values. Much of the draft ordinance is a reorganization of existing code. Section 5 is the newly added language.

### **Public Uses**

The other draft ordinance is reorganizing the use tables in the Agricultural and Rural Residential Districts. This will allow for the three main residential districts (AG, RR, and Conservancy) to match regarding how it handles certain uses.

For example, in the Conservancy District, parks are a conditional use. In the RR and AG Districts this is a permitted use. The ordinance amendment moves this and “wildlife reserves” to the conditional use list in these districts. Therefore, this would require any use that invited the public to a property to receive a conditional use permit.

Related, it moves the keeping of animals to the accessory uses. The AG District has a use called “nursery – commercial” (which is not clear what it refers to) as a permitted use. If it were an agricultural use, it would already be permitted. If it were a retail use, it would be in violation of the Town’s Comprehensive Plan. This was also moved to conditional uses with the word “wholesale” added but could be removed entirely, as it could be considered a subset of agriculture.

Lastly, the ordinance removes references to the Gateway Trail from the Open Space Subdivision ordinance. There was a clause that allowed for an additional density bonus for subdivisions that

donated land for the Gateway Trail. The Gateway Trail does not appear in the Town Comprehensive Plan, therefore its “location” is not clearly identified. Also, the density bonus would greatly exceed the Town’s density requirements within the Comprehensive Plan. The Town could use such a concept as a means for granting a density bonus under the existing language in the Subdivision Ordinance, as part of the general review criteria of an open space subdivision.

**RECOMMENDATIONS**

Town Staff requests that the Planning Commission hold a public hearing and make a recommendation to the Town Board on the draft ordinances.

**TOWN of MAY**  
**WASHINGTON COUNTY, MINNESOTA**  
**Ordinance No. 2021-06**

**AN ORDINANCE REGARDING MINIMUM HOUSING STANDARDS**

**Section 1. Findings.**

**WHEREAS**, the Town of May adopts zoning regulations to protect the health, welfare, safety, and character of the Town; and

**WHEREAS**, the Town Board seeks to establish minimum standards for residential housing to assist in maintaining the established character of the Town.

**NOW THEREFORE, THE TOWN BOARD OF THE TOWN OF MAY, WASHINGTON COUNTY, MINNESOTA DOES ORDAIN:**

**Section 2. Code Amended.** Section 705.04.A.1 is hereby amended to read as follows:

1. Dwelling Unit Density. There shall be no more than one (1) residential dwelling unit on any one (1) parcel of land.

**Section 3. Code Amended.** Section 705.04.A.2 is hereby amended to read as follows:

2. Certain Dwelling Units Prohibited. No cellar, garage, recreational vehicle or trailer, basement with unfinished exterior above or accessory building shall be used at any time as a dwelling unit. Except as provided in Article 708.

**Section 4. Code Added.** Section 705.04.A.5 is hereby added to read as follows:

5. Placement on Unplatted Land. All principal buildings hereafter erected on unplatted land shall be so placed as to avoid obstruction of future street or utility extensions and shall be so placed as to permit reasonably anticipated future subdivisions and land use.

**Section 5. Code Added.** Section 705.04.A.6 is hereby added to read as follows:

6. Single Family Dwellings. All single-family detached homes, except as part of approved manufactured home parks, shall conform to the following requirements:

(a) Perimeter foundation. Be constructed upon a continuous perimeter foundation that meets the requirements of the State Building Code.

(b) Dimensional requirements. No residential structure shall have a width of less than 22 feet on not less than 70% of the structure. Width measurements shall not be inclusive of overhangs or other projections beyond the principal exterior walls.

(c) Minimum floor area. Single-family dwellings shall have a minimum foundation footprint of 900 square feet.

**Section 6. Effective Date.**

This ordinance shall be in full force and effect from and after its passage and publication according to law.

**Section 7. Severability.**

If any part of this ordinance is held invalid by a court of competent jurisdiction, this shall not invalidate any other section, provision or part thereof.

**BY ROLL CALL VOTE OF THE MAY TOWN BOARD: ADAMS \_\_\_\_\_;  
MAGNER \_\_\_\_\_; PAZLAR \_\_\_\_\_; THIS ORDINANCE IS HEREBY  
ADOPTED ON THIS 5<sup>th</sup> DAY OF AUGUST, 2021**

\_\_\_\_\_  
Attest: Linda Tibbetts, Clerk/Treasurer

\_\_\_\_\_  
John Adams, Board Chair

**TOWN of MAY**  
**WASHINGTON COUNTY, MINNESOTA**  
**Ordinance No. 2021-07**

**AN ORDINANCE REGARDING PARK AND OTHER USES WITHIN THE RURAL  
RESIDENTIAL & AGRICULTURAL ZONING DISTRICTS**

**Section 1. Findings.**

**WHEREAS**, the Town of May adopts zoning regulations to protect the health, welfare, safety, and character of the Town; and

**WHEREAS**, the Town Board seeks to align uses allowed within the RR, Rural Residential District with the policies of the Comprehensive Plan.

**NOW THEREFORE, THE TOWN BOARD OF THE TOWN OF MAY, WASHINGTON COUNTY, MINNESOTA DOES ORDAIN:**

**Section 2. Code Amended.** Section 708.01.A is hereby amended to read as follows:

A. Permitted Uses. The following uses are permitted in the Agricultural District:

Agriculture  
Single Family Detached Residential Dwellings

**Section 3. Code Amended.** Section 708.02.A is hereby amended to read as follows:

A. Permitted Uses. The following uses are permitted in the Rural Residential District:

Agriculture  
Single Family Detached Residential Dwellings

**Section 4. Code Amended.** Section 708.01.C (list of Accessory Uses in the AG District) is hereby amended to include the following:

Keeping of Animals, Domestic Farm or Domestic Pets

**Section 5. Code Amended.** Section 708.02.C (list of Accessory Uses in the RR District) is hereby amended to include the following:

Keeping of Animals, Domestic Farm or Domestic Pets

**Section 6. Code Amended.** Section 708.01.D (list of Conditional Uses in the AG District) is hereby amended to include the following uses:

Nursery – Commercial Wholesale (Production of Trees and Shrubs)  
Wildlife Reserves, Public or Private

**Section 7. Code Amended.** Section 708.02.D (list of Conditional Uses in the RR District) is hereby amended to include the following uses:

Parks  
Wildlife Reserves, Public or Private

**Section 8. Code Deleted.** Sections 901.13.02.H and 901.15.09 are hereby deleted.

**Section 9. Code Amended.** Section 901.14.05.E is hereby amended to read as follows:

E. Densities and Bonuses. The density for an Open Space Design development shall be determined by a lot yield calculation as defined in Section 901.12 of this Chapter. To encourage Open Space Design, a density bonus not to exceed 25% of the lots defined by the yield plan may apply, if the application meets all criteria of an Open Space Design as stated herein.

**Section 10. Effective Date.**

This ordinance shall be in full force and effect from and after its passage and publication according to law.

**Section 11. Severability.**

If any part of this ordinance is held invalid by a court of competent jurisdiction, this shall not invalidate any other section, provision or part thereof.

**BY VOTE OF THE TOWN BOARD: ADAMS\_\_\_\_\_, MAGNER\_\_\_\_\_,  
PAZLAR\_\_\_\_\_, THIS ORDINANCE IS ADOPTED / NOT ADOPTED BY THE BOARD  
OF SUPERVISORS OF THE TOWN OF MAY THIS 5<sup>th</sup> DAY OF AUGUST, 2021.**

\_\_\_\_\_  
Attest: Linda Tibbets, Clerk/Treasurer

\_\_\_\_\_  
John Adams, Chair